



GOVERNMENT OF INDIA

# Chandigarh Administration Gazette

Published by Authority

NO. 182] CHANDIGARH, MONDAY, DECEMBER 23, 2024 ( PAUSA 02, 1946 SAKA)

CHANDIGARH ADMINISTRATION  
LABOUR DEPARTMENT

## Notification

The 19th December, 2024

**No. 482512-HII(2)-2024/19140.**—In exercise of the Powers conferred by sub-section (i) of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947) read with Government of India, Ministry of Labour & Employment's Notification No. S-11025/21/2003-IR(PL) dated 28.7.2004, the undersigned hereby publish the following award bearing reference No. **52/2023** dated **05.11.2024** delivered by the Presiding Officer, Industrial Tribunal-cum-Labour Court, UT Chandigarh between :

1. RAM LAL (AGED 45 YEARS) S/O SH. GULZARI LAL, R/O HOUSE NO.711/24, SECTOR 26, BAPU DHAM COLONY, CHANDIGARH.
2. KESHO RANI, (AGED 27 YEARS) W/O SH. BAJINDER KUMAR, R/O HOUSE NO.846, PHASE - I, RAM DARBAR, CHANDIGARH.
3. OM PARKASH YADAV (AGED 42 YEARS) S/O DAYA CHAND, R/O HOUSE NO.285, SECTOR 16, CHANDIGARH.
4. SANJU (AGED 43 YEARS) S/O SH. BABU RAM, R/O VINDHYA HOSTEL BARRACKS, PUNJAB ENGINEERING COLLEGE, CHANDIGARH.
5. SONU LAL (AGED 46 YEARS) S/O SH. DUJAI PARSHAD, R/O HOUSE NO.306, PEC CAMPUS, CHANDIGARH. (Workman)

AND

PUNJAB ENGINEERING COLLEGE, UNIVERSITY OF TECHNOLOGY THROUGH ITS REGISTRAR, SECTOR 12, CHANDIGARH - 160012. (Management)

## ORDER

Signature Not Verified

Digitally signed by  
Jalinder Kumar  
Date: 2024.12.23  
15:09:19  
Reason: Public Key  
Location:

1. In the matter of claim statement under Section 2A(2) of the Industrial Disputes Act, 1947 (*hereafter in short called 'ID Act'*), on 10.10.2023 the management / Registrar, Punjab Engineering College (*Deemed to be University*), Chandigarh through its authorised Representative filed an application seeking dismissal / rejection of the claim of the workmen.

(2579)

This is Digitally Signed Gazette. To verify, visit :  
<https://egazette.chd.gov.in>

2. In the application, it is submitted that the present matter is pending before this Tribunal for adjudication. The workmen have filed the statement of claim with the prayer to re-employ / adjust them in the service with the management on any Group 'D' post in view of Section 25H of the ID Act with continuity of service and back wages. It is further submitted that the perusal of statement of claim shows that the workmen were appointed in January 2003 on contract basis till the post is filled on regular basis or six months, whichever is earlier and if required the contractual appointment can be extended beyond the period stipulated under the contract. It is admitted case of the workmen that their services were time and again extended as per the terms & conditions of the appointment letter. The workmen were relieved from their respective services on completion of their contractual period. Since they were relieved on completion of contractual period, therefore, no notice is required to be served upon them. The workmen challenged the relieving order considering it to be termination of their services in violation of provisions of ID Act. After considering the entire pleadings, evidences led by the parties and documents exhibited, the Labour Court vide award dated 01.03.2011 instead of granting reinstatement to the workmen, only granted compensation to the tune of ₹ 20,000/- to each of them. The said order was challenged by the workmen before the Hon'ble High Court of Punjab & Haryana. The Hon'ble High Court vide judgment dated 28.05.2013 modified the award by enhancing the compensation amount from ₹ 20,000/- to ₹ 2,00,000/- to each workman. The same was challenged by the management in LPA before the Hon'ble High Court. The Division Bench of Hon'ble High Court vide judgment dated 29.05.2014, dismissed the appeal of the management and enhance the compensation from ₹ 2,00,000/- to ₹ 3,00,000/- to each workman payable within three months, failing which management has to pay simple interest @ 8% per annum till such time payment is made. It was further observed that the reinstatement in service was rightly not granted to the workmen and the compensation was granted in lieu of the reinstatement. The said judgment was further challenged by the workmen before the Hon'ble Supreme Court in SLPs but the same were dismissed in limine vide order dated 14.11.2014. All these orders clearly show that the question of reinstatement of the workmen is already adjudicated and put to rest. Once the controversy is decided on merits, the same cannot be revived in another litigation based on same facts and between the same parties as same is barred by principle of res-judicata. Besides, no cause of action arose in favour of the workmen and against the management as they were appointed on contract basis and relieved when the contract period ended as was decided by the Board of Governors in their meeting dated 06.01.2006 for outsourcing the services of sanitation, gardening and watch & ward. This aspect was brought to the knowledge of Labour Court, Hon'ble High Court at all the stages of the earlier round of litigation, despite that reinstatement was not granted to the workmen and only compensation was awarded. The workmen on the ground that the management had filled various Group 'D' vacancies from June, 2007 to August, 2009 and had not considered the workmen, issued legal notice dated 22.08.2020 for considering them against the vacant Group 'D' posts for their re-employment / adjustment / reinstatement. On this ground the workmen twice approached the Hon'ble High Court but both time they withdrew their writ petition with liberty to avail remedy as per law. During that period none of the post was filled against Chowkidar, Mali and Sweeper which falls under the category of sanitation, gardening and watch & ward post. Once the decision was taken by the Board of Governors, which is the highest decision-making body of the management, in its meeting dated 06.01.2006 that for the efficient & effective functioning of the institute service for sanitation, gardening and watch & ward may be outsourced, the claim of the workmen cannot be considered by the management as against sanitation, gardening and ward & watch post, no direct recruitment is being done. The management have no say in selection of worker by the contractor. Moreover, since 2014 as per the letter dated 07.11.2014 issued by the Chandigarh Administration, all Group 'D' posts as & when fallen vacant are directed to be filled through outsourcing after following proper procedure. Therefore, the contract is given to the contractor for performance of the workman of Group 'D' post. If the present application is allowed then workmen will not suffer any loss as they have already received the compensation amount in the year 2014 only. On the other hand, if the present application is not allowed, the management will suffer an irreparable loss as the management despite making payment of compensation amount to the workmen now again has to undergo another round of litigation. The balance of convenience lies in favour of the management and against the workmen. Therefore, the present claim application is liable to be dismissed. Prayer is made that the present application may be allowed and the statement of claim of the workmen may be dismissed with exemplary cost in the interest of justice.

3. The application is supported with sworn-in affidavit of Col. Rakesh Mohan Joshi (Veteran), Registrar, Punjab Engineering College, Chandigarh. Besides, management has placed on record copy of Award dated 01.03.2011 passed by the Court of Shri H. S. Dhaliwal - Presiding Officer, Industrial Tribunal & Labour Court, U.T. Chandigarh in industrial dispute reference No.166/2007 under Section 2A of the ID Act, titled as between Om Parkash Yadav and Registrar, Punjab Engineering College & Another, copy of order dated 28.05.2013 passed by the Hon'ble High Court of Punjab & Haryana in CWP No.20529 of 2011 titled as Raj Kumari Versus PEC University of Technology, Chandigarh & Another and connected writ petitions CWP No.20531 to 20533 and 20546 of 2011, copy of order dated 29.05.2014 of Hon'ble High Court of Punjab & Haryana in LPA No.870 of 2014 (O&M) titled as Kesho Rani Versus PEC university of Technology Chandigarh & Another and connected LPAs No.1349 to 1353, 1358, 1664 to 1667 of 2013 (O&M), copy of order dated 14.11.2014 of Hon'ble Supreme Court of India in SLP (c) No.CC Nos.17775/2014 raising out of final judgment & order dated 29.05.2014 in LPA No.1666 of 2013 passed by the Hon'ble High Court of Punjab & Haryana at Chandigarh.

4. On notice, workmen contested the application by filing reply dated 18.01.2024 wherein preliminary submissions are made to the effect that the matter is pending before this Tribunal. The workmen have filed the statement of claim with prayer to reinstate them in the services on any Group 'D' post in view of Section 25H and 25F of the ID Act. After rendering more than 4 years of unblemished services, there is not even a single complaint against any of the workmen. At the time of termination, no notice for termination or pay in lieu thereof nor any retrenchment compensation was paid to the workmen, thereby clearly violating the provisions of Section 25F and 25H of the ID Act. The decision taken by the Board of Directors to relieve / terminate workmen, it was obligatory to comply with the mandatory provisions of Section 25F of the ID Act. The Hon'ble High Court of Punjab & Haryana has directed the managements to release the compensation to the tune of ₹ 3,00,000/-. The above directions of the Hon'ble High Court have been duly complied with by the management, but however, the compensation given is grossly inadequate to remedy the situation. It is apposite to note that the entire findings have been answered in favour of the workmen by the Labour Court as would be evident from the bare perusal of the award itself, the Labour Court however, declined reinstatement of the workmen only on the ground that since the work has already been outsourced as per the decision taken by the institute, it may not be expedient to upset the approval. The opinion of the Labour Court is patently unreasonable and manifestly illogical. The Labour Court is having a considerate view point to the freshly appointed workers, however, turned a blind eye towards the workers who have been working immaculately for more than 4 years, whose services have been terminated by the management without yielding a single cogent reason, thereby violating the mandatory provisions of the ID Act. The management has solely taken a ground that once the compensation has been lifted, no appeal would lie. However, it is submitted that the workmen are ready to deposit back the compensation amount since the compensation amount is too meagre and does not even touch the threshold point to meet the financial needs of the workmen. In such financial exigencies, the reinstatement to the service is only option which is left with the workmen. It is admitted by the managements that they have filled various Group 'D' vacancies from June, 2007 to August, 2009 and had not considered the workmen. However, in their reply they have specifically stated that no post was filled against Chowkidar, Mali and Sweeper which falls under the category of sanitation, gardening and watch & ward post. It is further submitted that the work was available in various Group 'D' posts on which the workmen could have been adjusted instead of terminating their services. As per R.T.I. reply dated 27.07.2020, the information has been received that the appointment / recruitment of Class IV employees (garden / watch & ward staff, sweeper etc.) has been made by this Institute for the period June, 2007 to June 2010 on contract basis. Hence, it is an admitted fact that after termination of their services, the institute has advertised various Group 'D' posts and employed many persons on outsource basis which is clear violation of Section 25H of the ID Act, which accord a preferential treatment for employment if after the retrenchment a comparable post occurs in the establishment. After the retrenchment of the workmen, the managements have recruited Class IV employees which ultimately, revised the rights of the workmen to be recruited / re-employed to the said post preferentially before any other employee is being recruited.

5. Further on merits, it is stated that the pendency of the present matter before this Court is a matter of record. The fact that the workmen had filed the statement of claim with a prayer to be re-employed / adjusted in the services with the management on any Group 'D' in view of Section 25H of the ID Act with continuity of service and back wages, is a matter of record and needs no reply. It is further stated that if the workmen were not retrenched and relieved, the Hon'ble High Court would not have given compensation to the tune of ₹ 3,00,000/-. Supposed it was not a termination and the workmen were relieved, even then it does not accord a right to the management to violate the provisions of Section 25F & 25H of the ID Act. Further similar stand is taken as taken in the preliminary submissions. Rest of the contents of the application are denied as incorrect and prayer is made that the claim statement may be allowed and the workmen may be re-employed / adjusted on any Group 'D' post with the management in view of Section 25H of the ID Act with continuity of service and back wages.

6. I have heard arguments of Learned Representatives for the parties and perused the judicial file. During course of arguments Learned Representatives for the parties have taken similar stand as taken by them in application and reply respectively.

7. From the facts pleaded by the parties in the application and in its reply, it emerges that initially the workmen were appointed on 07.01.2003 on contract basis which was extended from time to time. The period of last contract expired on 14.01.2007 and the same was not renewed. The workmen in their separate cases challenged the termination of their services w.e.f. 14.01.2007 in IDR before Industrial Tribunal & Labour Court, Chandigarh and sought reinstatement with continuity of service and back wages. The Labour Court vide its Award dated 01.03.2011 has not ordered reinstatement and ordered compensation amount of ₹ 20,000/-. The workmen in different Civil Writ Petitions bearing CWP No.20529 of 2011, 20531 of 2011 to 20533 of 2011 and 20546 of 2011 challenged the impugned award dated 01.03.2011 before the Hon'ble High Court of Punjab & Haryana. The Hon'ble High Court vide order dated 28.05.2013 decided all the above said petitions. The relevant portion of order dated 28.05.2013 of Hon'ble High Court is reproduced as below :-

*"The principles laid down in the aforesaid cases can be applied to the facts of these cases and the relief of compensation deserves to be modified as Rs.2 lacs in each case as fair compensation in lieu of reinstatement.*

*compensation of Rs.2 lacs in each case. Let this amount be now paid to the workmen within 60 days from the receipt of certified copy of this order, failing which interest at the rate of 12% would run till realisation. Ordered accordingly."*

8. The workman Kesho Rani filed LPA No.870 of 2014 and the management of PEC University of Technology & Another filed LPAs against order dated 28.05.2013 passed by the Hon'ble High Court in CWP No.20529 of 2011 praying that appeal may be accepted and order dated 28.05.2013 may be set aside. The Hon'ble High Court vide order dated 29.05.2014 decided LPA No.870 of 2014 (O&M) along with connected LPAs No.1349 of 2013 to 1353 of 2013 (O&M) and LPA No.1358 of 2013, LPA No.1664 of 2013 to 1667 of 2013 (O&M). The relevant portion of order dated 29.05.2014 passed by the Division Bench of Hon'ble High Court is reproduced as below :-

*"Taking note of the same, reinstatement in service was rightly not granted. However, we feel that compensation awarded by the learned Single Judge is still on the lower side. The workman remained in service for a period of 4 years. He is a poor person, fighting litigation for the last more than 7 years and might have spent huge amount in the process. For that also he needs to be compensated.*



*Taking note of the same, we enhance the compensation awarded from ₹ 2 lakhs to ₹ 3 lakhs. This amount shall be paid within 3 months, failing which the appellant-workman shall be entitled to get simple interest @ 8% per annum till such time payment is not made.*

*The compensation is granted in lieu of reinstatement in service. Accordingly, appeals filed by the appellant- workman are disposed of.*

*In view of the above, the appeals filed by the respondent-management are dismissed.”*

Thereafter, the workmen filed SLP (C) bearing CC No(s).17775 / 2014, 17860/2014, 18027/2014, 18179/2014 and 18233/2014 along with an application seeking condonation of delay in filing SLP before the Hon’ble Supreme Court of India which were decided vide order dated 14.11.2014 wherein the final judgment and order dated 29.05.2014 in LPA No.1666/2013 passed by the Hon’ble High Court of Punjab & Haryana at Chandigarh was challenged. The order dated 14.11.2014 of Hon’ble Supreme Court is reproduced as below:-

*“Heard.*

*Delay condoned. No ground for interference is made out to exercise our jurisdiction under Article 136 of the Constitution of India.*

*The special leave petitions are dismissed.”*

9. Now in the present claim statement / IDR, the workmen are seeking to be re-employed / adjusted in service on any Group ‘D’ post in view of Section 25H of the ID Act with continuity of service and back wages. The workmen have alleged that compensation given is grossly inadequate to remedy the situation and the workmen are ready to deposit back the compensation amount since the compensation amount is too meagre and does not even touch the threshold point to meet the financial needs of the workmen. Besides, the opinion of the Labour Court is patently unreasonable and manifestly illogical. Further the institute has advertised various Group ‘D’ posts and employed many persons on outsource basis which is clear violation of Section 25H of the ID Act. To my opinion, the workmen are re-agitating the issues of reinstatement and compensation in lieu of reinstatement which have been already adjudicated up to the Hon’ble Supreme Court of India. The findings of the Hon’ble High Court and Hon’ble Supreme Court in the LPAs and SLPs referred above are binding on the parties. Therefore, the present statement of claim filed by the workmen is not maintainable being barred by the principle of res-judicata.

10. Consequently, the present application is allowed and the statement of claim / industrial dispute reference is declined being not maintainable being barred by principle of res-judicata. Appropriate Government be informed. File be consigned to the record room.

(Sd.) . . . ,

(JAGDEEP KAUR VIRK),  
PRESIDING OFFICER,  
Industrial Tribunal & Labour Court,  
Union Territory, Chandigarh.  
UID No. PB0152

Dated : 05.11.2024.

CHANDIGARH ADMINISTRATION  
LABOUR DEPARTMENT

**Notification**

The 19th December, 2024

**No. 482534-HII(2)-2024/19142.**—In exercise of the Powers conferred by sub-section (i) of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. 14 of 1947) read with Government of India, Ministry of Labour & Employment's Notification No. S-11025/21/2003-IR(PL) dated 28.7.2004, the undersigned hereby publish the following award bearing reference No. **4/2020** dated **04.11.2024** delivered by the Presiding Officer, Industrial Tribunal-cum-Labour Court, UT Chandigarh between :

PANKAJ BANYAL, S/O SHRI JAGDISH SINGH, R/O C/O AICCTU OFFICE: 1414/1, SECTOR 30-B, CHANDIGARH - 160030 (Workman)

AND

M/S GRACE DRINKS PVT. LTD. (THROUGH ITS OWNER/DIRECTORS/PROPRIETORS/MANAGER) ADDRESS: RAILWAY STATION ROAD, NEAR TATA STEEL YARD, DARIA, CHANDIGARH .(Management)

**AWARD**

1. Pankaj Banyal, workman has presented industrial dispute under Section 2A(2) of the Industrial Disputes Act, 1947 (*here-in-after in short called 'ID Act'*).

2. Briefly stated the averments of claim statement are that the respondent (*here-in-after 'management'*) is a company/establishment and deals in Distribution of FMCG products/Goods of different company/s Example Britannia/Pepsico etc. The workman was appointed as 'Accountant-cum- Computer operator' on September 2014, at Chandigarh location by the management and was assigned the work of Accountant-cum-Computer operator. Hence, the workman is a 'workman' defined under Section 2(s) of the ID Act. The daily timing of the workman was from 09.30 to 06.30 P.M. with weekly off. The work of the workman was controlled, supervised and assessed by Sh. Sachin - Account Head-cum-Manager (*here-in-after in short called 'AH'*) and Sh. A. K. Prasad - Human Resource Manager-cum-Company Admin (*here-in-after 'HR'*) of management. The personal file, record of leaves etc. of the workman was maintained by it's Human Resource department. The workman was being paid ₹18,049/- CTC (Company total cost) + ₹ 4,000/- cash as gross salary including incentive & allowances and after deduction of Provident fund, ESI and diet, the workman was receiving an amount of about ₹ 14,549/- in account + ₹4000 cash per month as salary at the time of his removal by the management. The management has paid ₹ 3,500/- as Diwali festival Celebration and box of Patisa (sweet of ₹ 80/- MRP). This was paid to all employees of the respondent. Last drawn net salary of the workman was ₹ 14,549/- in account + ₹ 4000/- in cash. The workman had not been given his bonus of the financial year 2016-2017 and 2017-2018. The work & conduct of the workman while in service was unblemished and satisfactory. No charge-sheet was served to the workman. HR of the management recognized the workman's performance as superb. On 10.04.2019 at about 05:23 P.M. the workman received mail from HR. The management appreciated the performance of the workman and based on his superb performance decided to transfer the workman from Chandigarh to Udhampur. The workman accepted the transfer and sought some clarification from the management. The management called the workman in his office and forced him to be on paid leave. Management had failed to resolve the clarification raised by workman. The workman was called by HR in office and he was forced to resign. On 30.04.2019, the management (HR) sent e-mail to the workman and terminated his services in illegal and unlawful manner. Hence, the management illegally, arbitrarily and malafidely terminated the services of the workman all of the sudden,

without following the mandatory procedure laid down under the provisions of the ID Act. The work on which the workman was deputed is still going on as the work is a regular work of the company/establishment of management. While terminating the service of the workman in the manner mentioned above, the management has utterly violated the various provisions of the ID Act. Neither prior notice was issued to the workman nor he was paid wages in lieu of the notice period. The workman has completed 240 days in the 12 calendar months preceding his termination. Previously, the workman has submitted demand notice to the management and before the Assistant Labour Commissioner-cum-Conciliation Officer, Sector 30, Chandigarh and the management submitted its reply on dated 26.11.2019. The Conciliation Officer initiated conciliation proceedings in the matter of industrial dispute so raised by the workman but ultimately, the conciliation proceedings failed and accordingly, the Conciliation Officer vide Memo No.173 dated 10.01.2020 advised the workman to refer Section 2-A of Industrial Disputes (Amendment) Act, 2010 and accordingly, this claim. Prayer is made that the management may be ordered to reinstate the workman with continuity of service along with all the benefits and full back wages.

3. Upon notice, on 11.01.2021 Shri Deepak Kaul filed memo of appearance on behalf of the management. On the next date, 01.03.2021 Ms. Neha Dogra appeared on behalf of the management. On 05.07.2021, when the case was fixed for filing authority letter and written statement on behalf of the management, none appeared on behalf of the management as such the management was proceeded against ex-parte vide order dated 05.07.2021. On 24.02.2023 Shri Devinder Singh Soundh - Advocate and Shri Manav Ahlawat - Advocate jointly moved an application seeking to set aside ex-parte order, which was allowed vide order dated 10.04.2023.

4. The management contested the claim of the workman by filing written statement on 12.07.2023, wherein preliminary objections are raised on the ground that the plaintiff-applicant (*here-in-after 'workman'*) has not approached this Court with clean hands. The workman has concealed the material facts from this Tribunal. The conduct of the workman was not loyal towards the management. He acted very short tempered and disloyal towards the management and was found guilty of leaking the confidential data of the management to its rivals and provoking & instigating other workmen of the management for which he was warned number of times but the workman never mends his behavior. The workman is very short-tempered person even he fights with the management official and on one occasion he even slapped his immediate senior for which he even apologized in writing. The workman was promoted and he himself agreed to take transfer to Udampur unit and he was accordingly relieved from Chandigarh unit, but later on he refused to join the transfer for the best reason known to him. The workman started blackmailing the management for want of more money, when the management tried to make him understand of his relieving, he started filing complaints against the management. The workman was habitual offender, rebellious and himself apologized the management number of times but he did not disclose the same in his application. The workman was terminated from his services following the policies of the management and he was squarely compensated for his notice period.

5. On merits, the fact that the management is a company/establishment and deals in Distribution of FMCG products/Goods of different company/s Example Britannia/Pepsico etc. is replied being matter of fact. It is admitted that the workman was appointed as Computer Operator. The facts regarding working hours, weekly off, control, supervision and assessment of work of the workman, gross salary, net salary + ₹ 4000/- in cash, payment of ₹ 3,500/- as Diwali festival celebration and non-payment of bonus, as alleged by the workman, are admitted being matter of record. Rest of averments of claim statement are denied as wrong and submissions made in preliminary objections are reiterated. Prayer is made that the claim of the workman may be dismissed.

6. The workman filed rejoinder, wherein the contents of written statement, except admitted facts, are denied as wrong and the averments of the claim statement are reiterated.

7. From the pleadings of the parties, following issues were framed vide order dated 30.08.2023 :-

1. Whether the termination of services of the workman is illegal ? OPW
2. If issue No.2 is proved in affirmative, whether the workman is entitled to reinstatement with continuity of service, back wages and consequential benefits, as prayed for ? OPW
3. Whether the workman has not approached with clean hands and suppressed the material facts ? OPM
4. Relief.

8. In evidence, the workman Pankaj Banyal examined himself as AW1 and tendered his affidavit Exhibit 'WWA' along with documents Exhibit 'WW/1' to Exhibit 'WW1/5'. The workman examined Gurmeet Singh - Assistant, Office of ESIC, Chandigarh who brought the entire record in respect of employees' insurance relating to the workman for the period w.e.f. 01.10.2013 to 30.09.2021 and tendered copy of same vide Exhibit 'W1' and authority letter issued in his favour by the Branch Manager, ESIC, Chandigarh vide Exhibit 'W2'. The workman examined Dalvir Singh - Senior Social Security Assistant, EPF, Sector 17, Chandigarh, who brought the EPF record of the workman for the period 01.08.2015 to 30.04.2019 vide Exhibit 'W3' and authority letter issued in his favour by the Accounts Officer, EPF, Chandigarh vide Exhibit 'W4'. The workman examined AW4 Sukhjot Singh - Clerk, O/o ALC, U.T. Chandigarh, who brought the summoned record and tendered copy of reply dated 15.02.2023 of Assistant CLWB bearing diary No.1152 dated 15.02.2023 vide Exhibit 'AW4/1'. It is pertinent to mention here that the witnesses AW1 to AW4 were examined in ex-parte evidence and subsequently ex-parte order was set aside and the management was provided an opportunity to file the written statement.

9. After filing of written statement, replication and framing of issues, at the stage of evidence of workman, the workman shown his willingness not to pursue the case further. On 04.11.2024, the workman has made a statement, which is reproduced as below :-

*"Stated that I do not intend to pursue my present industrial dispute. Therefore, the same may be disposed off being not pressed."*

The statement of workman was countersigned by his Representative.

10. Heard. In the view of the above statement of the workman, the present industrial dispute reference is disposed off being not pressed. Consequently, all the issues have become redundant. Appropriate Government be informed. File be consigned to the record room

(Sd.) . . . ,

Dated : 04.11.2024.

(JAGDEEP KAUR VIRK),  
PRESIDING OFFICER,  
Industrial Tribunal & Labour Court,  
Union Territory, Chandigarh.  
UID No. PB0152

Secretary Labour,  
Chandigarh Administration.

*"No legal responsibility is accepted for the contents of publication of advertisements/public notices in this part of the Chandigarh Administration Gazette. Persons notifying the advertisements/public notices will remain solely responsible for the legal consequences and also for any other misrepresentation etc."*